IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO.21297 of 1994

Between:

Y.Rama Murthy, S/o.Y.Krishnamma, 54 years, Hindu,
R/o.Peddapuram, East Godavari District.

...PETITIONER

AND

1. The Government of Andhra Pradesh, represented by its Secretary, Legal Affairs, Secretariat Buildings, Hyderabad.
2. P.Dorabbai, Advocate, Peddapuram, East Godavari District.
(R2 dismissed for default vide Court order dated 13.12.1999)

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction particularly one in the nature of Writ of Mandamus declaring the impugned order issued by the first respondent in G.O.R.T.No.358 Law Department dated 31.10.1994 as arbitrary, illegal and void and further direct the first respondent to appoint the petitioner to the post of Assistant Government Pleader, Peddapuram, East Godavari District.

Counsel for the Petitioner: MR.A.BHASKARA CHARY

Counsel for the Respondent: GP FOR HOME

The Court made the following:

THE HONIBLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO.21297 of 1994

ORDER:

The Writ Petition is filed seeking a declaration that the impugned order in G.O.R.T.No.358 Law Department, dated 31.10.1994 issued by the first respondent is arbitrary, illegal and void and a consequential direction to the first respondent to appoint the petitioner to the post of Assistant Government Pleader, Peddapuram, East Godavari District. This Court admitted the Writ Petition on 05.12.1994.

The case of the petitioner in brief is that the earlier Assistant Government Pleader's term was completed in the year 1993. He is the senior advocate having 20 years of standing than the other two advocates who are in the panel sent by the District Collector. The first respondent appointed the second respondent, who is not having even seven years standing as advocate and the G.O.358, dated 31.10.1994 under which the second respondent was appointed as Assistant Government Pleader is challenged in this Writ Petition. The subject matter of the Writ Petition itself has become infructuous as the term of the Assistant Government Pleader for three years was completed by the year 1997 and nothing survives in the Writ Petition.

The Writ Petition is therefore dismissed as infructuous.

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(N.V.RAMANA, J)

22nd September 2004
RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Secretary, Government of Andhra Pradesh, Legal Affairs, Secretariat Buildings, Hyderabad.
2. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).
3. Two CD copies.